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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Bhiku G. Patel : Attorney Docket No. 03-40102-US
Mohan Vishnupad :
Eugene H. Gans :
Kuljit S. Bhatia :

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Application No.: 10/613,698

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: Examiner: Isis A. Ghali

Title: DELIVERY SYSTEM FOR TOPICAL
MEDICATIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION PURSUANT TO 35 U.S.C. §301

Sir:

The owner of the above-identified U.S. patent hereby submits the patents and publications identified in the attached Form 1449 for entry into the patent's file.

These patents and publications were cited in a third party request for *ex parte* reexamination that the Patent and Trademark Office refused to accept for processing for failure to comply with 37 C.F.R. §1.510. The third party requestor may not submit another request, and the patent owner desires to ensure that the file of the patent include these patents and publications. For these reasons, the patent owner now makes this submission.



The pertinence and applicability, or lack thereof, of the patents and publications is addressed in a brief filed by the patent owner in litigation involving this patent. The patent owner submits that brief, along with the third party request for *ex parte* examination that the Office refused to accept.

EXPRESS MAIL CERTIFICATE (37 CFR 1.10)

Express Mail Label No. EV831186412US

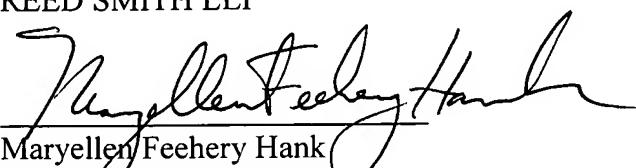
Date of Deposit : October 6, 2010

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Respectfully submitted,
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